

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA

§

§

V.

§

NO. 1:20-CR-00249(1)-RP

§

PAUL KRUSE

§

**DEFENDANT'S UNOPPOSED MOTION TO EXTEND
DEADLINE FOR DISCLOSURE OF EXPERT WITNESSES AND
DAUBERT CHALLENGES**

TO THE HONORABLE ROBERT PITMAN,
UNITED STATES DISTRICT JUDGE:

PAUL KRUSE, through his attorneys Chris Flood and John Cline, moves for an Order amending the current scheduling order regarding deadlines for disclosure of expert witnesses and *Daubert* challenges. The government states that it does not oppose the requested relief.

1. On July 22, 2021, the Court entered an Amended Scheduling Order (Doc. 55) which provides, in pertinent part:

- 1) The defendant shall provide counsel for the United States with reports of examination and tests as described in Fed. R. Crim. P. 16(b)(1)(B) and expert reports as described in Fed. R. Crim. P. 16(b)(1)(C), by no later than November 12, 2021. -and-
- 2) The parties shall file any pre-trial motions related to the potential exclusion of expert testimony pursuant to the *Daubert* standard by no later than November 30, 2021. Responses shall be filed no later than December 14, 2021.

2. The parties are in discussions to narrow the breadth and scope of potential expert testimony. The defense needs additional time to determine which experts are needed and both parties would then need additional time to determine whether *Daubert* challenges are appropriate.

3. Accordingly, the defense proposes to amend the current scheduling order as follows:

- 1) The defendant shall provide counsel for the United States with reports of examination and tests as described in Fed. R. Crim. P. 16(b)(1)(B) and expert reports as described in Fed. R. Crim. P. 16(b)(1)(C), by no later than December 13, 2021. -and-
- 2) The parties shall file any pre-trial motions related to the potential exclusion of expert testimony pursuant to the *Daubert* standard by no later than January 7, 2022. Responses shall be filed no later than January 21, 2022.

CONCLUSION

For the foregoing reasons, we ask the Court to extend the defense deadline for disclosure of expert witnesses and the deadline to file pre-trial motions related to *Daubert* challenges as described above.

Respectfully Submitted,

/s/ Chris Flood

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ATTORNEYS FOR PAUL KRUSE

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2021, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Chris Flood

Chris Flood